

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Scott Malcolm et al.,

Civil No. 06-4155 (PAM/JSM)

Plaintiffs,

v.

ORDER

Franklin Drywall, Inc., Master Drywall
Inc., and Philip J. Franklin, individually,

Defendants.

This matter is before the Court on Plaintiffs' January 28, 2008, Motion for Summary Judgment. Plaintiffs contend that summary judgment is warranted because Defendants have failed to comply with Magistrate Judge Janie S. Mayeron's Order to respond to discovery requests. On February 28, 2008, Defendant Philip J. Franklin filed a responsive affidavit stating that he has produced or will produce "all personal and corporate financial information requested by Plaintiffs in discovery including [Franklin Drywall, Inc.] bank statements." (Franklin Aff. ¶ 8.) He further stated that he "ha[s] and will continue to cooperate in the discovery process as a pro se defendant." (Id. ¶ 30.)

The Court has determined that it will resolve the Motion without a hearing. Accordingly, **IT IS HEREBY ORDERED THAT** the parties file submissions as to the status of discovery on or before Wednesday, April 23, 2008.

Dated: Wednesday, April 9, 2008

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge